IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO.179 OF 1993

M/s. Sanghi Oxygen (Bombay) Pvt.Ltd. & Anr. ... Plaintiffs.

Vs.

M/s. Sanghi Motors (Bombay) Ltd. & Ors. ... Defendants.

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Mr. J.P. Sen i/b.Bilawala & Co. for the Plaintiffs.
Mr. H.R.Shetty for the Defendant No. 7.
Mr. Prateek Saksheria i/b. Bachubhai Munim & Co. for defendant No. 1 to 6.

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CORAM : S.K. SHAH, J.
DATED : April 29, 2005.

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P.C.-

1. The learned Counsel for the Plaintiffs seeks liberty to withdraw the Suit. The learned Counsel for defendant No. 7 has no objection for the same. The learned Counsel for the defendant No. 1 to 6 objects to the withdrawal of the Suit and submits that the Plaintiff should be allowed to withdraw the Suit unconditionally, without reserving any right to pursue the Company Petition. I do not find any merit in this objection raised by the learned Counsel for the defendant Nos. 1 to 6. The Plaintiffs would be entitled to pursue the legal proceedings, if any, under the right available to them, in law.

2. The Suit is allowed to be withdrawn and dismissed as withdrawn. No Order as to costs. The Court fee be refunded as per Rule.

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[S.K.SHAH, J.]